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In re Application of :  
DOUGLAS U. MENNIE ET AL :  
Application No. 09/076,528 : ON PETITION  
Filed: May 12, 1998 :  
Attorney Docket No. CUMM1391FRE :

This is a decision on the petition, filed May 9, 2000 and again on June 22, 2000,<sup>1</sup> under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is GRANTED.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on November 9, 1999 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.

Telephone inquiries should be directed to the undersigned at (703) 305-8680.

The application is being forwarded to Technology Center AU 2724 for processing of the request for continued examination under 37 CFR 1.114.

*Frances Hicks*  
Frances Hicks  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

<sup>1</sup> The petition of May 9, 2000 under 37 CFR 1.313(c)(2) was filed prior to the effective date of May 29, 2000 and, was therefore improper. The \$130 petition fee and the \$690 RCE fee paid on May 9, 2000 will be credited to petitioner's deposit account.